

REMARKS

This responds to the Final Office Action dated 11 March 2011. Claims 3, 10-17, 22, 25-29, 35, 36, 39-41, 43-46, 49-51, 53 and 54 have been canceled without prejudice or disclaimer. Applicants request reconsideration of the application in view of the following.

Interview Summary

On 4 April 2011, the undersigned attorney engaged in an in-person interview with Examiner Jing Rui Ou and Supervisory Patent Examiner Jackie Ho. The parties discussed the claims pending in the application along with the prior art of record—in particular the Lam reference. The Examiners agreed that the claims as presently presented in the application, subject to the cancellation of those claims rejected under 35 U.S.C. § 112 (see below), are in condition for allowance.

Claim Rejections – 35 U.S.C. § 112

Claims 3, 10-17, 22, 25-29, 35, 36, 39-41, 43-46, 49-51, 53 and 54 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicants respectfully traverse this rejection. However, in an effort to expedite allowance of the present application, and in accordance with agreement reached in the interview discussed above, Applicants have canceled claims 3, 10-17, 22, 25-29, 35, 36, 39-41, 43-46, 49-51, 53 and 54. Applicants respectfully request withdrawal of this rejection.

Claim Rejections – 35 U.S.C. § 103

Claims 1, 3, 6-17, 21-29, 33-36, 38-46, 49-51, 53-55 and 59 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,681,334 to Evans et al. in view of U.S. Patent No. 5,662,681 to Nash et al., U.S. Patent No. 6,475,230 to Bonutti et al., and U.S. Published Application No. 2004/0147958 to Lam et al. Applicant respectfully traverses this rejection. As noted above, the claims are allowable over the prior art of record.

Conclusion

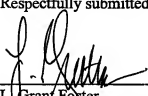
For at least the foregoing reasons, Applicant believes that each of the presently pending claims in this application is in immediate condition for allowance. Accordingly, Applicant respectfully requests a favorable action on the merits. If the Examiner has any further comments or suggestions, Applicant invites the Examiner to telephone the undersigned attorney to expedite the handling of this matter.

Applicant expressly disclaims all arguments, representations, and/or amendments presented or contained in any other patent or patent application, including any patents or patent applications claimed for priority purposes by the present application or any patents or patent applications that claim priority to this patent application. Moreover, all arguments, representations, and/or amendments presented or contained in the present patent application are only applicable to the present patent application and should not be considered when evaluating any other patent or patent application.

The Commissioner is hereby authorized to charge any additional fees which may be required for this application, or credit any overpayment, to Deposit Account No. 08-2623. If any extensions of time are needed for timely acceptance of these documents, such an extension is hereby requested and payment of any such extension fees is authorized from Deposit Account No. 08-2623.

Respectfully submitted,

Dated: 25 APRIL 2011



L. Grant Foster
Registration No. 33,236